

Minutes of Committee on Mining, Irrigation and Drainage, Held March 5, 1935, Called Meeting.

Present: Regan, Blackert, Hill, Holbrook, Neal, Small, Van Zandt.

Absent—Excused: Hopkins, DeBerry, Stone, Burns.

S. B. No. 361 was reported favorably by viva voce vote.

S. B. No. 133 was reported favorably by the following vote: yeas 7, nays 0.

S. B. No. 267 was reported favorably by viva voce vote.

S. B. No. 356 was reported favorably by viva voce vote.

ORVALEA WILLBANKS,
Secretary.

THIRTY-SIXTH DAY

Senate Chamber,
Austin, Texas,
March 8, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. K. M. Regan.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Neal.
Blackert.	Oneal.
Burns.	Pace.
Collie.	Poage.
Cotten.	Rawlings.
Davis.	Redditt.
DeBerry.	Regan.
Duggan.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hopkins.	Stone.
Hornsby.	Sulak.
Hughston.	Van Zandt.
Martin.	Westerfeld.
Moore.	Woodruff.

Absent—Excused.

Fellbaum.

Prayer by Bishop Boaz.

Further reading of the Journal was dispensed with on motion of Senator Woodruff.

Committee Reports.

(See Appendix.)

Minutes of Committee Meetings.

(See Appendix.)

Pages Excused.

Senator Hill moved that half the pages be excused for the afternoon to attend the Interscholastic League basketball games.

Senator DeBerry made a substitute motion that all of the pages be excused.

The substitute motion prevailed.

Bills and Resolutions.

Senate Bill No. 432.

By Senator Beck:

"An Act providing for relief for the Hooks Independent School District of Bowie County, Texas, in order to aid said District in rebuilding its properties and equipping its school which was destroyed by fire on the 11th day of February, A. D. 1935; providing for work relief; making an appropriation to said District for said property; and declaring an emergency."

Read and referred to the Committee on Finance.

Senate Bill No. 433.

By Senators Beck, Redditt and Pace:

S. B. No. 433, A bill to be entitled "An Act providing that any member of the State Highway Patrol of the State of Texas is authorized to arrest without warrant any person committing a violation of any of the provisions of House Bill 336, Chapter 282, page 507, General Laws, Regular Session, Forty-second Legislature, or any of the motor bus, motor truck, highway or registration laws and that any member of the State Highway Patrol shall have authority to weigh a loaded vehicle or any empty vehicle that he has reasons to believe is not properly registered, providing that the constitutionality of any part or parts of this Act shall not affect the validity of the remaining parts thereof, and declaring an emergency."

Read and referred to the Committee on Criminal Jurisprudence.

Senate Bill No. 434.

By Senator DeBerry:

S. B. No. 434, A bill to be entitled "An Act to amend Article 4679 of the Revised Civil Statutes of 1925, as amended by Acts of 1927 of the 40th Legislature, page 329, Chapter

224, Section 1; and amending Chapter 152, page 252, General Laws of the 42nd Legislature, Regular Session, 1931, Section 3; relating to the Board of Insurance Commissioners of the State of Texas and the examinations made on behalf of the State by said board; and declaring an emergency."

Read and referred to the Committee on Insurance.

Senate Bill No. 435.

By Senator Woodruff, by request:

S. B. No. 435, A bill to be entitled "An Act to amend the law controlling Water Control and Improvement Districts, as embraced in Sections 33 and 45 of Chapter 25 of the General Laws enacted by the 39th Legislature of Texas, at its Regular Session; and, Section 3 of Chapter 280 of the General Laws enacted by the 41st Legislature, at its Regular Session, in the following respects, i.e.; and declaring an emergency."

Read and referred to the Committee on Mining, Irrigation and Drainage.

Senate Bill No. 436.

By Senator Davis:

S. B. No. 436, A bill to be entitled "An Act making provision for the regulation of the sale and dealings in stocks, bonds, and securities in this State, including any share stock, treasury stock, stock certificate under a voting trust agreement, collateral trust certificate, preorganization certificate or receipt, subscription or reorganization certificate, note, bond debenture, mortgage certificate or other evidence of indebtedness, any form of commercial paper, certificate in or under a profit sharing or participation agreement, certificate of interest in or under an oil, gas, or mining lease or title or any certificate or instrument representing or secured by an interest in any or all of the capital, property, assets, profits or earnings of any company, investment contract, or any other instrument commonly known as a security, whether similar to those herein referred to or not, and providing for the registration of certain persons and companies dealing in securities, defining certain terms used in this Act; conferring powers and

imposing duties on the Secretary of State and Attorney General and otherwise providing for the administration of this Act; providing for judicial ascertainment and the taking of appeals; prescribing penalties and making appropriations; repealing all laws in conflict herewith, enacting all necessary provisions incident to said purpose; and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 437.

By Senator Shivers:

S. B. No. 437, A bill to be entitled "An Act amending Chapter 6 of Title 122 of the Revised Civil Statutes of 1925, by adding thereto an article to be known as 7146-a, providing that all claims and demands secured by deed, deed of trust or mortgage on real estate be construed real property for the purpose of taxation; providing for the recording of such claims and demands; providing that any lien or charge on real estate to secure the payment of any claim or demand shall be for not more than the face value of said deed, deed of trust, or mortgage; providing the method of assessment; providing that taxes assessed and levied shall be a lien thereon and method of sale for the payment of any taxes; providing for a penalty for contracting to pay taxes other than as set out in this act; providing for the effective date of this act; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 438.

By Senator Martin:

S. B. No. 438, A bill to be entitled "An Act to amend Article 1533-A, Chapter 19, Title 32, Revised Civil Statutes, 1925, and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 439.

By Senator Woodruff:

S. B. No. 439, A bill to be entitled "An Act relating to courses of instruction in the Government of Texas and the Government of the United

States including instruction in the Constitution of Texas and the Constitution of the United States, in schools, colleges, and universities supported by public funds; amending Chapter 83, Acts of the Second Called Session of the Forty-first Legislature; and also amending Chapter 5, Acts of the Fourth Called Session of the Forty-first Legislature, and declaring an emergency."

Read and referred to the Committee on Educational Affairs.

Senate Bill No. 440.

By Senator Davis:

S. B. No. 440, A bill to be entitled "An Act providing for a jury wheel and the selection of juries and drawing of venires by means thereof, in all counties having a population of not less than 13,500 and not more than 27,000 population, according to the last preceding federal census and the county seat of which contains a population aggregating 3,500 or more people as shown by the last preceding federal census, repealing all laws in conflict herewith in so far as such laws apply to the counties included herein; providing for penalty for the violation of the provisions of this act, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 441.

By Senator Cotten:

S. B. No. 441, A bill to be entitled "An Act amending Article 6643, Revised Civil Statutes of Texas, 1925, as amended, Acts 1927, Fortieth Legislature, page 83, Chapter 59, Section 1, and declaring an emergency."

Read and referred to the Committee on Civil Jurisprudence.

Senate Bill No. 442.

By Senator Hill:

S. B. No. 442, A bill to be entitled "An Act providing for the inspection and fixing a standard for the construction of boilers; providing for the appointment of a boiler inspector; defining boiler, owner and safety device; providing rules for the enforcement of this Act; providing penalties for failure to comply with the provisions; providing for the exemption of boilers from the provisions of this Act; providing for an-

nual salary of inspector and clerical assistance and supplies; and declaring an emergency."

Read and referred to the Committee on Labor.

Senate Bill No. 443.

By Senator Hill:

S. B. No. 443, A bill to be entitled "An Act to amend Article 2350, Title 44, Revised Civil Statutes of the State of Texas, 1925, as amended by the Acts of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1; and as amended by Act of the Fortieth Legislature, page 435, Chapter 290, Section 1; and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1; and as amended by Act of the Forty-third Legislature, Regular Session, Chapter 216; and as amended by Act of the Forty-third Legislature, First Called Session, Chapter 83, page 220; and so as to provide the salaries of county commissioners in certain counties; providing that if any part of this Act be declared unconstitutional it shall not affect any remaining part; and declaring an emergency."

Read and referred to the Committee on State Affairs.

Senate Bill No. 444.

By Senator Hill, by request:

S. B. No. 444, A bill to be entitled "An Act to create a more efficient road system for Rusk County, Texas, making county commissioners of said county ex-officio road commissioners and prescribing their duties as such, and providing for their expenses and compensations as road commissioners, and defining the powers and duties of such county commissioners, providing for eminent domain in the opening, widening, laying out and straightening of public highways, and in securing material for the construction or maintenance of public highways in Rusk County. Repealing all laws requiring road or street duty, fixing penalties for the violation of this Act; repealing all laws in conflict herewith; and declaring an emergency."

Read and referred to the Committee on State Affairs.

S. C. R. No. 23.

Senator Rawlings sent up the following resolution:

Whereas, The administrator for the Federal Housing Administration, the Honorable James A. Moffett, will be in Texas and in Austin on Monday, the eighteenth of March, on matters pertaining to the administration of the Federal Housing Act; and

Whereas, Mr. Moffett is charged with executive responsibility for the successful operation of the Federal Housing Act, and he has been responsible largely for the success attained thus far; and

Whereas, This session of the Legislature has been concerned with the enactment of numerous bills, the purpose of which was to secure for Texas the benefits to be derived from the Federal Act; and

Whereas, Mr. Moffett, because of his peculiar experience with the administration of this Act, is considered an authority on this subject; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, That the Honorable James A. Moffett be invited and requested to address the Forty-fourth Legislature in joint session assembled in the Hall of the House of Representatives on Monday, the eighteenth of March, at ten o'clock in the morning. Be it further

Resolved, That the Secretary of the Senate be instructed to communicate this invitation to Mr. Moffett. Be it further

Resolved, That a joint committee of five members, two to be appointed by the Lieutenant Governor and three to be appointed by the Speaker of the House, be named to make such arrangements as may be deemed necessary for the proper reception of Mr. Moffett.

RAWLINGS.

Read.

Senator Rawlings moved that the Senate rule requiring resolutions to be referred to a committee be suspended, and that S. C. R. No. 23 be taken up and considered at this time.

The motion prevailed.

S. C. R. No. 23 was adopted by viva voce vote.

Committee Appointed.

The Chair, President Pro Tem. K. M. Regan, appointed Senators

Rawlings and Hopkins on the committee authorized by S. C. R. No. 23.

Senator Oneal's Report.

Senator Oneal made a report on the Second Interstate Assembly held in Washington, D. C., to which he was a delegate appointed by Lieutenant Governor Walter F. Woodul and authorized by S. R. No. 40.

Senator Martin moved that Senator Oneal be thanked by the Senate for his report and that his report be put into writing and printed in the Journal. The motion prevailed.

Hon. Walter F. Woodul, President of the Senate.

Sir: You appointed me as the representative of the Senate to attend the Second Interstate Assembly held in Washington, D. C., February 28th, March 1st and 3rd, of this year. I attended all of the sessions of the Assembly for the three days that it had continued.

There were in attendance 128 state officials and Legislators, representing forty-two of the states, who were officially credited as delegates. In addition, there were forty-nine individuals, speakers, staff members, and board members who participated in the conference.

The assembly was organized two years ago when one hundred delegates from thirty-two states met in Washington, D. C., to discuss tax problems of mutual interest. I attended that conference as the representative of the Senate of Texas.

The Assembly is designed to bring the forty-eight State Governments into more intimate and systematic communication with each other and to enable them to harmonize their activities. It is intended to be a convenient agency for consultation, negotiations and agreement among the states; and is not designed to consider tax matters alone, though that is one of the problems to which the Assembly, through the Interstate Commission on Conflicting Taxation, a standing committee of the Assembly, has given much thought and study.

When the Interstate Commission on Conflicting Taxation was set up by the First Interstate Assembly, I was made a member of that commission and am now a member of the

same. The commission met on February 27, one day prior to the meeting of the Second Interstate Assembly. I attended the three sessions that day of the commission, which was preparing its report to the assembly.

Program of the Three-Day Conference of the Interstate Assembly.

On the first morning the assembly had a few of the leading students of taxation develop the picture of the existing tax situation throughout the United States. Appearing on this program were Hon. T. Jefferson Coolidge, Under-secretary of the Treasury; Hon. Mark Graves, President of the New York State Tax Commission; Hon. Henry F. Long, Commissioner of Corporations and Taxation and President of the National Tax Association of Massachusetts; and Dr. Robert Murray Haig of Columbia University.

The second day Chairman Seabury C. Mastick submitted the report of the Interstate Commission on Conflicting Taxation; and thereafter the meeting was turned over to the forty-two state delegations for consideration.

The interests of other levels of government than that of the states were outlined by the following speakers: The Congressional Viewpoint by Representatives Robert L. Doughton, Chairman of the House Ways and Means Committee, and Fred Vinson, Chairman of the Congressional Subcommittee on Double Taxation. The cities' viewpoint was presented by Dr. William Spear, Mayor of Wilmington, Delaware, and a member of the Advisory Board of the United States Conference of Mayors. Then followed a discussion by Mr. Lovell H. Parker, Chief of Staff and Director of Research of the Congressional Joint Subcommittee on Double Taxation, and Dr. James W. Martin, Director of Research of the Interstate Commission on Conflicting Taxation.

On the final day of the conference the assembly heard the Presidents of the American Legislators' Association, the National Association of Attorneys General, and the National Association of Secretaries of State, on the subject of cooperation by organizations of the State officials with the Council of State Government.

The afternoon session of the final day was devoted to committee reports. At the evening sessions the assembly heard Governor Leslie A. Miller, of Wyoming, on the subject of cooperation among the Western States, and former Governor John G. Winant, on the subject of harmonizing the state and the nation. Former Governor John G. Pollard, of Virginia, presided at the evening session.

A series of resolutions were adopted, too long for me to incorporate in this report.

In conclusion I desire to say that in my opinion continued representation of the Senate of Texas in the Interstate Assembly is highly desirable. These conferences are going to have weight with the national administration. President Roosevelt endorsed the First Interstate Assembly and again expressed his desire to see the Second Interstate Assembly convened. In my opinion these conferences are going to continue and if the State of Texas and the South and Southwest generally are to get the benefit of what is done, it behooves the State of Texas and the neighboring states to participate in the conferences.

Finally, Mr. President, I desire to thank you and the Senate for the honor conferred upon me in selecting me as your representative to this Second Interstate Assembly.

Respectfully submitted,

BEN G. ONEAL,

Senator 23rd Senatorial District.

Senate Bill No. 321.

Senator Stone called up S. B. No. 321.

The Chair laid before the Senate by unanimous consent:

By Senator Stone:

S. B. No. 321, A bill to be entitled "An Act amending Sections 17, 18, 19 and 20 of Chapter 290, Acts of the Forty-first Legislature so as to provide for the creation of Union Junior College District, etc."

The bill was read the second time.

Laid on Table.

S. B. No. 321 was laid on the table subject to call on motion of Senator Stone.

Senate Bill No. 248.

Senator Burns called up S. B. No. 248.

The Chair laid before the Senate by unanimous consent, on its second reading:

By Senator Burns:

S. B. No. 248, A bill to be entitled "An Act creating the Special Ninth District Court of Montgomery County, Waller County, Polk County, and San Jacinto County, Texas, prescribing its jurisdiction, limiting its existence, fixing its terms; providing for the appointment of a judge thereof, fixing his compensation, making an appropriation for the same, prescribing his powers and duties; declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The Committee Amendments No. 1 and No. 2 were adopted by viva voce vote.

Laid on Table.

On motion of Senator Burns, S. B. No. 248 was laid on the table subject to call.

S. J. R. No. 3.

The question recurred on the adoption of the substitute by Senator Hill for S. J. R. No. 3 and pending amendment.

Senator Woodruff had the floor.

Resolution Signed.

The Chair, President Pro Tem. K. M. Regan, gave notice of signing, and did sign, in the presence of the Senate, after its caption had been read, the following resolution:

H. C. R. No. 37.

Message from the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,
Austin, Texas, March 8, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has adopted the Conference Committee report on S. B. No. 90 by a vote of 122 yeas and 7 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

S. J. R. No. 3.**Motion for Previous Question.**

Senator Davis moved that the previous question be ordered on the substitute by Senator Hill for S. J. R. No. 3. The motion was seconded.

The motion lost by the following vote:

Yeas—7.

Davis.	Small.
Duggan.	Van Zandt.
Hopkins.	Woodruff.
Regan.	

Nays—21.

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
DeBerry.	Sanderford.
Hill.	Shivers.
Hornsby.	Stone.
Hughston.	Sulak.
Martin.	Westerfeld.
Moore.	

Absent.

Neal.

Absent—Excused.

Fellbaum. Holbrook.

Motion to Recess.

Senator Beck at 12:02 moved that the Senate recess until 10:00 o'clock a. m. Monday.

Motion pending.

Point of Personal Privilege.

Senator Moore asked unanimous consent to make a statement of Personal Privilege.

Senator DeBerry objected.

Motion to Adjourn.

Senator Hornsby at 12:10 o'clock p. m., moved as a substitute that the

Senate adjourn until 10:00 o'clock a. m. Monday.

Motion to Recess.

Senator Woodruff moved as a substitute that the Senate recess until 2:00 o'clock p. m. today.

Adjournment.

The motion to adjourn prevailed by the following vote:

Yeas—14.

Beck.	Hornsby.
Blackert.	Hughston.
Burns.	Neal.
Collie.	Oneal.
DeBerry.	Pace.
Duggan.	Regan.
Hill.	Westerfeld.

Nays—13.

Cotten.	Sanderford.
Davis.	Shivers.
Hopkins.	Small.
Moore.	Stone.
Poage.	Sulak.
Rawlings.	Woodruff.
Redditt.	

Absent—Excused.

Fellbaum.	Martin.
Holbrook.	Van Zandt.

APPENDIX.

Committee Reports.

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 198, A bill to be entitled "An Act providing for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs, etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendment.

SMALL, Chairman.

Committee Amendment.

Amend S. B. No. 198 by striking out in Section 2 of said bill the fol-

lowing: "or when he is on such property upon the invitation, express or implied, of the owner thereof."

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 366, A bill to be entitled "An Act amending Article 4201, Chapter 8, Title 69, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature relative to the sale of real estate by guardians by providing that before any sale by a guardian shall be confirmed or the title of the ward to such real estate shall pass to the purchaser, the court shall find, etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 367, A bill to be entitled "An Act amending Article 4216, Chapter 8, Title 69, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, relating to the confirmation of sales of real estate by guardians by requiring, etc.; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 362, A bill to be entitled "An Act regulating and providing a means and method of securing service of process on Federal Relief Agencies operating and doing business in the State of Texas, etc.; and declaring an emergency."

Have had the same under con-

sideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 295, A bill to be entitled "An Act amending Article 1815 of the Revised Civil Statutes of Texas, 1925, so as to allow the Governor to commission special judges to try any cause in the Court of Civil Appeals when any or all members are disqualified, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with committee amendments.

SMALL, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 295 by adding a new section, to be Section 2 of said bill, reading as follows:

"Sec. 2. Any trial judge who may thereafter be a member of any appellate court in this State shall be deemed to be disqualified to hear or determine any cause before such appellate court as may have been tried or acted upon by such judge prior to his becoming a member of said appellate court."

Committee Amendment No. 2.

Amend S. B. No. 295 by amending the caption to conform with committee amendment No. 1.

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 363, A bill to be entitled "An Act exempting the State of Texas, any county in the State, any State Department or the head of any State Department and corporations etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with

the recommendation that it do pass, with committee amendments, and be printed.

SMALL, Chairman.

Committee Amendment No. 1.

Amend S. B. No. 363 by striking out in Section 1 of said bill the following words:

"or for any appeal or writ of error taken out by it or either of them nor any surety for the issuance of any bond for the taking out of writs of attachment, sequestration, distress warrants, or writs of garnishment."

Committee Amendment No. 2

Amend S. B. No 363 by striking out in Section 1 of said bill the following words:

"Provided that no County or District Attorney shall be exempt from the filing of bonds in the taking out of any extraordinary writ, unless said County or District Attorney shall first obtain the approval by proper order of the Commissioners' Court of the county in behalf of which such action is taken or the approval of the Attorney General in action brought in behalf of the State of Texas."

Committee Amendment No. 3.

Amend S. B. No. 363, by amending the caption to conform with committee amendments Nos. 1 and 2.

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 418, A bill to be entitled "An Act to amend Article 4628 of the Revised Civil Statutes of Texas of 1925, allowing the annulment of marriages under certain conditions and upon proper showing of insanity, etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

SMALL, Chairman.

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 326, A bill to be entitled "An Act amending subdivision (b) of Section 11 of Chapter 116, Acts of the Forty-third Legislature, Regular Session, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, March 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Military Affairs, to whom was referred

S. B. No. 401, A bill to be entitled "An Act to prohibit the use of certain words in the name of corporations hereafter incorporated under the laws of this State, providing that all charters of companies containing any of such words in their corporate name shall be canceled and forfeited unless an amendment is filed in the manner provided by law or certain permission secured to use said name within ninety (90) days after this Act becomes effective, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

POAGE, Chairman.

Committee Room,

Austin, Texas, March 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

S. B. No. 324, A bill to be entitled "An Act prohibiting any person from catching, retaining or having in his possession any channel catfish or blue catfish which are less than eleven inches in length or to catch or retain or have in his possession in any one day a total aggregate of more than twenty of such fish taken from any of the waters described in Section 1 of Chapter 37 of the Acts of the Thirty-ninth Legislature; and providing a maximum number of hooks that may be used on any trot line and the minimum distance of said hooks from each other on

said line; and providing the minimum distance from each other that any trot lines may be set, etc."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the attached committee substitute for S. B. No. 324 do pass and be printed in bill form.

SHIVERS, Chairman.

Committee Room,

Austin, Texas, March 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 194, A bill to be entitled "An Act relating to depositories of the public funds of counties, political subdivisions, improvement districts, school districts, cities, towns and villages in this State; prescribing procedure for the selection of such depositories, requiring issuance and publication of notices and advertisement for bids; requiring each bank so bidding to attach to its bid sworn statement of its condition on the first of the month prior to the date of such bid; providing for each application or bid to be predicated on a period of service as such depository for not less than four years and not more than six years, the period of time to be definitely agreed to and incorporated in the contract and in the proceedings of the governing body of the county, district or municipality selecting such depository; etc., and also declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass but pass with the committee substitute in lieu thereof, such committee substitute to be printed in bill form but the original bill be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, March 7, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 384, A bill to be entitled "An Act defining certain words and terms; regulating the business of migratory shows."

Have had the same under con-

sideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

BECK, Chairman.

Committee Room,
Austin, Texas, March 8, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Insurance, to whom was referred

S. B. No. 275, A bill to be entitled "An Act to amend Sections 1 to 11, inclusive, of Chapter 253, Acts of the Fortieth Legislature, page 373, adding Section 10-a; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that committee substitute for S. B. No. 275 do pass and be printed in bill form and that the bill be not printed.

COLLIE, Chairman.

Committee Room,
Austin, Texas, March 7, 1935.
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 32, A bill to be entitled "An Act regulating applications for the lease and purchase of vacant public domain; prescribing the duties of the Commissioner of the General Land office in respect to such vacancies; requiring notice of his action to be served upon all interested parties; providing for appeals to the district court from the action of such commissioner; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that the committee substitute for S. B. No. 32 do pass and that the original be not printed; the committee substitute be printed in bill form and not in Journal.

REGAN, Chairman.

Minutes of Committee Meetings.

Minutes of Committee on Insurance
Held March 7, 1935—Regular
Meeting.

Present: Collie, Hughston, Cotten, DeBerry, Holbrook, Moore, Pace,

Poage, Rawlings, Shivers, Sulak, Westerfeld, Woodruff.

Senate Bills Nos. 399 and 403, upon motion of Senator Pace, were set for special order Tuesday morning at 9 o'clock, March 12, 1935, by unanimous consent.

Senate Bills Nos. 414, 415, 416, 417, upon motion of Senator Pace, were set for special order Thursday afternoon at 4 o'clock, March 14, 1935, by unanimous consent.

Senate Bill No. 275, by Rawlings, was taken up and a committee substitute for the original bill was submitted by Senator Rawlings and adopted by the committee, and reported back to the Senate with the recommendation that committee substitute for Senate Bill No. 275 do pass and be printed.

Senate Bill No. 177, pending.

BILL GEORGE, Secretary.

Minutes of Committee on State Affairs Held March 7, 1935.

Regular Meeting.

Present: Pace, Collie, Cotten, DeBerry, Holbrook, Hopkins, Hornsby, Hughston, Martin, Moore, Oneal, Rawlings, Redditt, Regan, Shivers, Small, Stone, Sulak.

Absent: Blackert.

Absent, excused: Fellbaum.

S. B. No. 194 was reported with the recommendation it do not pass but pass with committee substitute in lieu thereof, such committee substitute alone to be printed.

S. B. No. 311 was referred to a subcommittee.

W. S. REEVES, Secretary.

Minutes of Committee on Civil Jurisprudence Held March 7, 1935.

Regular Meeting.

Present: Small, Collie, Hill, Hornsby, Oneal, Rawlings, Shivers, Van Zandt, Westerfeld.

Absent: Blackert, Davis, Fellbaum, Hopkins, Moore, Redditt, (excused).

S. B. No. 366 was reported favorably by viva voce vote.

S. B. No. 367 was reported favorably by viva voce vote.

S. B. No. 363, as amended, was reported favorably by viva voce vote.

S. B. No. 295, as amended, was reported favorably by viva voce vote.

S. B. No. 362 was reported favorably by viva voce vote.

S. B. No. 198, as amended, was reported favorably by a vote of 5 to 2.

S. B. No. 305 was referred to sub-committee (Hill, Westerfeld, Van Zandt).

S. B. No. 326 was reported favorably by viva voce vote.

S. B. No. 418 was reported favorably by viva voce vote.

S. B. No. 121 was deferred until important information could be collected.

HERMAN B. HILL, JR.,
Secretary.

Minutes of Committee on Constitutional Amendments, Held
March 5, 1935.

The Committee on Constitutional Amendments met on Tuesday, March 5, 1935, at 3:00 to take up and further consider S. J. R. No. 1, being the Sales Tax Amendment, which had been set for special order at that time.

The following members were present: Blackert, Chairman; DeBerry, Holbrook, Hornsby, Oneal, Hill, Sulak, Van Zandt.

Excused: Moore, Hopkins, Martin and Rawlings.

On motion of Senator Holbrook, the committee voted to defer action on S. J. R. No. 1 and the committee recessed until 7:30 p. m., March 6, 1935.

The committee recessed at 5:30 p. m. until Wednesday, March 6, at 7:30 p. m.

BLACKERT, Chairman.

Minutes of Committee on Public Health, Held March 7, 1935.
Regular Meeting.

Present: Beck, Sanderford, Holbrook, Hornsby, Oneal, Rawlings, Redditt, Small, Woodruff, Davis, Hughston.

Absent: none.

S. B. No. 10 was reported favorably with committee substitute.

S. B. No. 384 was reported favorably.

BECK, Chairman.

Minutes of Committee on Constitutional Amendments, Held
March 6, 1935.

The committee met at 7:30 p. m., March 6, pursuant to recess, the following members being present:

Blackert, Chairman; Moore, DeBerry, Hopkins, Holbrook, Hornsby, Martin, Rawlings, Hill, Sulak, and Van Zandt.

Excused: Oneal.

The following resolutions, raising the salaries of various State officials that are fixed by the Constitution, Nos. 12, 13, 14 and 15 by Senator Moore, were taken up and adopted by the committee by a vote of eight to three, Senators Blackert, DeBerry and Sulak voting against them. Senator Oneal, absent.

S. J. R. No. 26, by Burns, Providing for a board of pardons and paroles, said board to be domiciled at Huntsville and vested with the pardoning powers now conferred on the Governor, was taken up and recommended favorably by the committee by a vote of seven to five, the five voting against it being Senators DeBerry, Martin, Moore, Sulak and Oneal, Senator Oneal having come into the meeting in time for the roll call on this resolution.

S. J. R. No. 19, and S. J. R. No. 20, both being resolutions relative to a nine judge supreme court, were then taken up and considered. S. J. R. No. 19 was explained by Senator Oneal, the author, and Judges M. N. Chrestman and W. R. Chapman. S. J. R. No. 20 was explained by Senator Small, the author, and Judges C. M. Cureton and T. B. Greenwood.

On motion of Senator Hill both S. J. R. No. 19 and S. J. R. No. 20 were referred to a sub-committee appointed to adjust the differences between the two resolutions and prepare such an amendment as will be satisfactory to the committee.

The Chair appointed the following on the sub-committee to draft a satisfactory amendment, Senators Rawlings, Martin and Oneal.

S. J. R. No. 1, the Sales Tax Amendment, was next taken up and on motion of Senator Hornsby, seconded by Senator DeBerry. The committee voted to postpone indefinitely any further consideration of this amendment.

BLACKERT, Chairman.